

MINUTES
WOODSTOCK CITY COUNCIL
October 6, 2015
City Council Chambers

The regular meeting of the Woodstock City Council was called to order at 7:00PM by Mayor Brian Sager on Tuesday, October 6, 2015 in the Council Chambers at City Hall. Mayor Sager explained the consent agenda process and invited public participation.

A roll call was taken.

COUNCIL MEMBERS PRESENT: Daniel Hart, Maureen Larson, Mark Saladin, Joseph Starzynski, RB Thompson, Michael Turner, and Mayor Sager

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Roscoe Stelford, City Attorney Ruth Schlossberg, Finance Director Paul Christensen, Public Works Director Jeff Van Landuyt, Building and Zoning Director Joe Napolitano, Economic Development Director Garrett Anderson, Chief Robert Lowen, Human Resources Director Debbie Schober, City Planner Nancy Baker, Opera House Production Manager Joe McCormack, and Grant Writer Terry Willcockson.

OTHERS PRESENT: City Clerk Cindy Smiley

FLOOR DISCUSSION

Public Comments

Willis Johnson, Woodstock Theater, invited the Council and others to a presentation of the documentary film, *Chester Gould: An American Original*. This documentary is a project of local producers, Ahoy Productions, and was seven years in the making. Noting that the film is about famous Woodstock resident, Chester Gould, Mr. Johnson stated that it has been shown on PBS but that this will be its first theatrical showing. The film will be shown in the main theater and will be free-of-charge, followed by a discussion with the filmmakers at Read Between The Lines. Mr. Johnson noted that this is a great public/private partnership and is being promoted by Real Woodstock and the City of Woodstock with assistance from Grant Writer Terry Willcockson and Directors Joe Napolitano and Garrett Anderson.

Mayor Sager thanked Mr. Johnson for everything he and his business, Classic Cinemas, have done for the community. He also noted this is an opportunity to uphold local filmmakers and producers and recognize a local celebrity.

Lydia Baltalbos, 621 Dean Street, Woodstock, presented information on TIF districts, stating they are a mystery. She informed those in attendance that this month an individual will make a presentation at the Woodstock Public Library on October 20 at 7:00PM. She noted the presenter is a former public defender and has expertise in TIF Districts.

Ms. Baltalbos stated this is a complicated issue and District 200 is facing increased enrollment coming in from the TIF Agreement in Lakewood with projected low-income housing. She further stated because of this students who would have attended Crystal Lake schools will be attending Woodstock schools. She noted this is a growing phenomenon. She stated that this is banned in California. She feels it would be good to know why some communities embrace tax increment financing and wonders if it's because they get tax breaks. She noted that some seem to benefit while some suffer which may be the case in Woodstock where we have to shoulder the responsibility of these students.

Ms. Baltalbos stated there are two individuals present this evening and others at the school board who should attend this talk as they have stated this is a complicated issue they do not understand and invited them to do so.

Mayor Sager assured Ms. Baltalbos that the Council members do understand Tax Increment Financing, but have previously indicated to her that it is complicated when school districts cover multiple communities. This is not to say that they do not understand the subject.

Ms. Baltalbos thanked Mayor Sager for the clarification.

Council Comments

M. Saladin thanked everyone involved with the improvements made to Main Field A. He stated the field looks great and encouraged everyone to take a look at it.

RB Thompson stated the Public Library is an architectural draw to the City but that the entrance had become dated and worn. He stated improvements to the entrance have been completed and it is now gorgeous. He particularly noted the serpentine seating that has been installed.

Mayor Sager noted the improvements made at Dick Tracy Way Park, including a Peace Park, path, and a labyrinth. He stated the dedication of these new park amenities will be on Sunday, October 18, at 3:00PM and invited the public to attend. He thanked Public Works and Director Jeff Van Landuyt for the great job they did making this a reality. He also thanked the Bull Valley Garden Club for their work on this project.

CONSENT AGENDA

Motion by M. Larson, second by RB Thompson, to approve the Consent Agenda.

M. Saladin requested removal of item D-1

D. Hart requested removal of item D-2

Mayor Sager requested removal of item D-10

M. Larson requested removal of item D-12

Item D-9 – Police Pension Board Actuarial Report

In response to a question from M. Turner, R. Stelford explained that the reduction in the Police Pension Fund's funded level is due to actuarial assumptions which changed the mortality table. He indicated the actuaries look at various statistics which came back favorable to the employee, but then negatively impact the number questioned by Councilman Turner. He noted some of these statistics include life expectancy and time on the job.

P. Christensen replied to M. Turner's comment that the return on investment was 4% rather than the projected 7%, stating that this did not affect the funding level, but rather it was the actuarial assumptions as explained by R. Stelford.

M. Turner stated that this will raise taxes for this item. R. Stelford stated that this is true and that the City will be required to reduce the levies in other areas to cover the Police Pension Fund in order for the overall levy to remain the same.

In response to a question from M. Turner concerning the employees' contributions vs. the City's, R. Stelford stated the employee contribution is 9.9% and is mandated by the State. He also noted that Police Officers do not pay into Social Security. In response to a question from M. Turner as to whether the City must match this, R. Stelford stated the match is whatever the actuary decides based upon his analysis.

In response to a comment from M. Turner that he hates to see this go up, P. Christensen stated he wished to make it clear that the City has no control over this as it is mandated by the State.

R. Stelford stated this must be addressed by the State Legislature.

Item D-11 Artspace Consulting Services Study

M. Larson thanked those involved in bringing this project forward. She was part of the initial launch and feels that this could be an interesting concept for Woodstock. She then thanked the McHenry County Community Foundation for their assistance in moving this forward and noted this could be an exciting idea for the city. She expressed her hope the press will cover the actual process.

Mayor Sager agreed, stating it is an interesting fit for Woodstock and expressed appreciation for Terry Willcockson's expertise in forwarding this project.

M. Larson noted that the web site artspace.com could provide more information to anyone interested. She stated the city's very active arts community will be a big part in seeing if this is a good fit for Woodstock.

A roll call vote was taken on Consent Agenda items A through D-11, with the exception of items D1, D-2, and D-10.

A. MINUTES OF PREVIOUS MEETINGS
September 15, 2015 City Council Workshop

B. WARRANTS: 3682 3683

C. MINUTES AND REPORTS:
Building and Zoning Report – August 2015
Public Works Report – August 2015
Economic Development Report – September 2015

D. MANAGER'S REPORT NO. 54

3. Parking Restrictions – Care 4 Breast Cancer Walk/Run – Adoption of Ordinance 15-O-56, identified as Document No. 3, imposing certain temporary parking restrictions in the City of Woodstock, McHenry County, Illinois on October 18, 2015.

4. Revolving Loan Fund Application – Approval of the execution of a final loan agreement between the City of Woodstock and Read Between the Lynes.

5. Zoning Ordinance – Adoption of Ordinance 15-O-47, identified as Document No. 4, varying Section 7A.3 (Bulk and Area Requirements) and Table 7A.2, of the Woodstock Unified Development Ordinance, to allow an attached garage with a side yard setback of 3 feet for property located at 839 Madison Street.

6. Administrative Adjudication Amendment – Adoption of Ordinance 15-O-58, identified as Document No. 5, amending Section 1.7L.3 regarding the City’s Code Hearing Department to include the updated language of Public Act 099-0293.

7. Award of Contract – Holiday Lights – Approval of an award of contract for the installation, maintenance, and removal of the holiday lights to the low bidder, Temple Display, Ltd. For the total bid price of \$20,200.

8. Award of Contract – Public Works HVAC Rooftop Unit – Approval of an award of contract for the Public Works HVAC rooftop unit to the lowest, responsible bidder, MG Mechanical Service, Inc. for the total bid price of \$13,235.

9. Police Pension Board Actuarial Report – Approval to accept the annual statement for the Police Pension Plan’s 2014/2015 fiscal year and the actuarial report presented by the Police Pension Board.

11. Artspace Consulting Services Study – Approval of a study to be conducted by Artspace Consulting Services at a cost of \$20,000 to assess the needs of the Woodstock art community with anticipated confirmation of funding by the McHenry County Community Foundation.

A roll call vote was taken. Ayes: D. Hart, M. Larson, M. Saladin, J. Starzynski, RB Thompson, M. Turner, and Mayor Sager. Nays: none. Absentees: none. Abstentions: none. Motion carried.

Item D-1 – Video Gaming Signage

M. Saladin asked to have this item removed to have the opportunity to have a discussion and understand the intent and extent of the ban. He asked when it would go into effect and how it applies with our existing sign ordinance.

Mayor Sager stated that the ordinance before Council this evening is the result of a previous discussion. He stated it is his suggestion to make it effective January 1st or some other time specific, and should not be effective immediately. He noted in terms of language, the ordinance was crafted in a way that is similar to the language used regarding liquor signage where there is a limit to the number of signs allowed in certain liquor establishments and whether signage can be seen from the public way.

In response to a request from Mayor Sager, City Planner Nancy Baker stated that a permit is necessary for display of a sign on the outside of a building in the Historic District. She further stated that the content of such signage is not regulated but a permit is necessary. She then stated that certain signage on the interior of a building, dependent upon size, which is attached to glass and visible from the outside would require a permit.

In response to a question from Mayor Sager concerning banner signage, N. Baker stated this would require a temporary permit for up to 60 days per year and applies throughout the City, not just in the Historic District.

In response to a question from M. Saladin, N. Baker stated that a few permits have been issued for temporary banners but she does not recall any for permanent signage.

Mayor Sager noted another reason for the proposed ordinance is that Council is attempting to find balance. Council made the decision to allow video gaming but understood there are restricted

opportunities for control. Still the community has expressed concern about video gaming excess and perhaps limiting advertising would be the balance that would address some of the concerns expressed.

M. Saladin stated there are businesses that have relied on this signage and feels there should be some time-specific process to get the ban started. He could support a temporary banner for a limited time for a new restaurant, for example.

RB Thompson stated his opinion that the effective date should be at least a couple of months as the businesses have made an investment.

Mayor Sager opened the floor to public comment.

Lydia Baltalbos, 621 Dean Street, commented on the status of the finances derived from video gaming stating she has heard the proceeds are on hold and asked if any strategies to support this can be put on hold also as the City is not receiving any revenue.

Mayor Sager stated it is correct that the State is not forwarding the municipality's share of revenue to the City but that this is a matter of the State legislature not having an approved budget.

Chris Hesch, Awesome Hand Gaming, introduced himself as a supplier of the video gaming machines to the licensees. He urged Council to be careful of over-regulation regarding gaming signage. He also stated that many businesses did not realize the City regulated banners and a few were fined and the banners removed. He does not feel there are many banners in place presently. He again urged Council not to over-regulate but to enforce the laws presently on the books. Mr. Hesch stated that 2x2 or 3x3 neon signs are not any different than bar signs or Coke signs now in place and feels this would be a slippery slope.

Mayor Sager stated that the "slippery slope" is an issue that has to be addressed by Council all the time. He noted that some individuals feel the passage of video gaming was a slippery slope. He stated the City tries to address the concerns of as many individuals as possible. He noted that the City Council is not looking to remove the right for video gaming and suggested that the current clientele knows video gaming is present in an establishment and, in fact, someone only need to go into an establishment to find out whether video gaming is offered. He again noted the City is not trying to eliminate video gaming but is trying to address aesthetic concerns and to protect the youth from addictive behavior. He stated there has been found to be close correlation between alcohol and video gaming and it is the responsibility of the body to provide a healthy, safe environment for all residents, particularly our youth.

Mayor Sager noted the question is the timing. Following a brief discussion, it was the consensus of the Council that the proposed ordinance, if passed, should become effective January 1, 2016.

At the suggestion of Mayor Sager, discussion followed of allowing a new business to obtain a temporary banner permit for a period of time to advertise. It was the consensus of Council to add the following to the end of Section 1.D of the ordinance, should it pass: "Temporary permitted exterior signage would be exempted within 60 days of initial City of Woodstock video gaming licensing."

Ed Zurawski, Wayne's Lanes, asked if the proposed ordinance would ban the current state-approved neon signage to which Mayor Sager replied in the affirmative.

Once again, it was the concurrence of the City Council to include the aforementioned friendly amendments as part of the any motion.

Motion by M. Saladin, seconded by J. Starzynski, to approve Ordinance 15-O-59, identified as Document No. 1, amending Section 3.3.5, Video Gaming Terminals, of the Woodstock City Code to include the friendly amendments providing for temporary banner signage for new licensees and a January 1, 2016 effective date.

A roll call vote was taken: Ayes: D. Hart, M. Larson, M. Saladin, J. Starzynski, RB Thompson, M. Turner, and Mayor Sager. Nays: none. Abstentions: none. Absentees: none. Motion carried.

D. Hart recused himself at 7:51PM.

Item D2 – Liquor Amendment – Brett Coleman Catering, Inc.

In response to a question from J. Starzynski, Mayor Sager stated that it is the business owner's intent to apply for a video gaming license and that this was indicated at the last City Council meeting when a waiver to apply for this liquor license was granted.

Motion by M. Turner, second by M. Saladin, to adopt Ordinance 15-O-60, identified as Document No. 2, amending section 3.3.6, Classification of Licenses, Number and Fees of the Woodstock City Code to increase the number of Class A-6 liquor licenses by one for Brett Coleman Catering, Inc.

A roll call vote was taken. Ayes: M. Larson, M. Saladin, J. Starzynski, RB Thompson, M. Turner, and Mayor Sager. Nays: none. Abstentions: none. Absentees: Hart. Motion carried 6-0.

D. Hart returned to Chambers and rejoined the body at 7:55PM.

Item D10 – Smoking Restrictions in the Downtown and Associated Parks

Mayor Sager stated that Council has previously discussed this issue and arrived at a consensus for a defined geographic area for consideration. He displayed this area on a map for all to see, which included the Park in the Square and the adjacent streets and sidewalks, and the sidewalks in front of the businesses. He stated that Staff was directed to also include Main Street with the recognition that Council could remove it. Likewise, he stated, Sesquicentennial Park is adjacent to the Square and was also included. Finally, arguments could be made that people will move to other locations should smoking be prohibited in certain areas of the Square, but it was noted that this could be a particular issue at the corner occupied by Starbucks. Thus, the area of Johnson Street between Calhoun and Van Buren was also included.

Mayor Sager then noted there has been some discussion of perfecting this ordinance and requested that, by friendly amendment, Section 1.E, associated with Sesquicentennial Park, be removed due to these concerns. He stated if Council wishes to address this location, it can be done at another time. It was the consensus of the Council that the Ordinance be so amended for consideration.

D. Hart stated that while the survey indicates that some respondents live in Woodstock, it is impossible to tell if they really do.

Kathryn Lopprino, Woodstock Public House, stated she is concerned that this issue has come to this point. She does not feel it is the City Council's place to set these boundaries. She stated she owns a business on the Square and does not see smoking as an issue on the Square. She feels there are other issues which are not tied to smoking. It is her opinion that this ordinance would drive a certain group

of people away from the downtown businesses which is directly opposite of what we are trying to do. She stated that at the present time smokers must do so outside, but this ordinance would take that away from them. She asked Council to think about the message we are sending to that segment of the population. Ms. Lopprino stated it is her opinion that it is more important to police the Square and that the Police should be looking at issues other than smoking.

Randy Tipps, 124 Newell, expressed concerns and presented his observations and research on the proposed smoking ban. He feels that the discussion at the last Council meeting concerning this topic revealed how little is known and understood concerning the Smoke Free Illinois Act. Consequently, Mr. Tipps stated he did his own research and detailed some of this information for those present, including what is provided for in the Act, required signage, and enforcement of the Act. Mr. Tipps stated his opinion that the Smoke Free Illinois Act already addresses all the issues the City is trying to address with the proposed ordinance. Furthermore, he stated, the Smoke Free Illinois Act covers the entire City, not just the Square. He detailed for those present the number of complaints which have been filed with both the Woodstock Police Department and the McHenry County Health Department since the Act was enacted, noting there have been few complaints. He questioned why the City Council is considering adopting this ordinance when the Smoke Free Illinois Act covered the entire City.

Mr. Tipps also detailed information he had obtained concerning laws in other communities regarding smoking, stating that most follow the Smoke Free Illinois Act rather than enacting their own ordinances.

Mr. Tipps expressed his opinion that the ordinance would just move the problem to another area as smokers move around the corners or to other streets to smoke. In addition, he stated it is unfair to exempt certain areas and that such exemption does not follow the non-discrimination clause in the Smoke Free Illinois Act.

Mr. Tipps then noted that all businesses are not complying with the sign provision of the Smoke Free Illinois Act. He feels that businesses should comply and must be partners with the law. He feels that everyone should be compliant with the current law before enacting new ones.

Mr. Tipps expressed appreciation for Council's concerns and efforts on this matter. He asked that Council gather good information and make the best decision possible. He asked Council members if information obtained since the last Council meeting indicates an overwhelming change.

J. Starzynski stated that even though he is sensitive to health concerns, he feels this is a litter problem and little information has been provided to change his mind. He stated it is his opinion that this is over-reaching.

M. Larson stated she feels the new ordinance does not do much to fix the problem but move it to another area of the Square.

M. Turner stated he does not want to turn people into criminals and felt this ordinance would be a tool to address vagrancy to which Mr. Tipps replied that he does not feel this would address vagrancy.

M. Saladin stated he feels the Square needs to be looked at differently regarding health concerns to which Mr. Tipps asked how this ordinance can address health concerns and still have an exempted area. It is his feeling that the Smoke Free Illinois Act addresses health concerns throughout the City

rather than just on the Square.

Mr. Tipps again expressed his opinion that the Smoke Free Illinois Act provides all of the things the proposed ordinance would and asked how the proposed ordinance would provide for compliance. He noted that people who have been reluctant to complain under Smoke Free Illinois will still be reluctant. In addition, he asked why the Park in the Square should be treated any differently than any other park in Woodstock.

Mr. Tipps encouraged Council to adopt the Smoke Free Illinois Act rather than the proposed ordinance.

Mayor Sager expressed appreciation to Mr. Tipps for his analysis. He stated that, while the State does have the Smoke Free Illinois Act, the issue comes down to enforceability. He noted the Chief continues to have concerns about the ability of the Police Department to enforce the act based upon the fact that the State legislation did not go into the court case aspect of adjudication. He stated that currently, tickets can be given but it is questionable as to whether they can be upheld. He noted it can be said that all the City has to do is enforce the act, but this is not necessarily the case as the legislature did not complete their work on this act.

Concerning the issue of consideration of all parks, Mayor Sager stated the Park in the Square is treated as a separate entity from all other parks in the city. He stated that all other parks are different and that they may be considered at a later time.

Mayor Sager then stated that it is his opinion that people need to make their own moral decisions and the City can't make people be healthy. He further noted, however, that free choice does not absolve these people from responsibility and part of the issue is while smokers should be able to make their choices, that choice frequently includes littering. He questioned, then, who has to pay for this with the answer being the average taxpayer. This, he stated, is part of the issue, also noting he has received complaints from individuals concerning smoking in the Park in the Square during band concerts and other public events. He stated he has also received complaints from people about smokers in front of businesses while others are trying to enter. He noted the City has received complaints and this is the challenge.

In response to a question from M. Turner concerning the informal survey of businesses, R. Stelford noted that it appears that approximately 50% of the respondents were owners, 20% general managers, and the remainder staff.

M. Turner stated that as he initially stated, he does not like seeing the City get involved in this issue, which is a choice, but still is considering the ordinance as a possible tool for the Police Department to use to address some of the other issues going on. It is his opinion that this ordinance is at a different level than the Smoke Free Illinois Act. He further noted that the sunset provision would provide an opportunity to see if the ordinance is effective and that he appreciates the additional information provided in the packet and by the public this evening.

D. Hart stated he has several issues with this ordinance including the fact that there are residential units on the Square as well as businesses. He questioned forcing residents to move outside the prescribed area in January to smoke. He wondered whether this would affect the landlords' ability to rent the units. In addition, he noted that the City is trying to promote tourism but wondered how the tourist would feel about Woodstock should he or she receive a citation for smoking. He also stated that restaurants have employees who take breaks and will be forced to go outside the designated area,

outside the view of the employer. Concerning littering, he noted he already sees many business owners cleaning up in front of their establishments and feels it is their responsibility. Finally, Mr. Hart stated he does not feel this would be the best use of the Police Department's time, noting there is already an ordinance prohibiting public drinking which does not stop individuals from drinking in the Park in the Square.

J. Starzynski stated he would support the ordinance with a one-year sunset provision but feels this is a trash issue which should be enforced from that standpoint. Further, he feels this is anti-business and will drive people away from the Square and would not support the ordinance for the rest of the Square. In addition, he stated it is his opinion that it is unfair if it is being considered as a tool.

M. Larson stated she is undecided noting that the Park was one thing but that she is struggling with expanding the ordinance. She asked if it would be possible to step back and heavily enforce the littering ordinance as Council was initially trying to enforce certain issues, namely loitering, littering, and congregating in doorways. It would be her preference to do the least heavy-handed thing to address these issues. She stated it frustrates her to be put in a position to overlay an entire ordinance to address an ordinance already in place, noting it was a flawed law on the State level.

M. Saladin stated he, too, is undecided, especially after hearing the comments of Kathryn Lopprino and Councilmember Hart. He stated that the Smoke Free Illinois Act is a displacement act because it took what was legal in a building and told people it was now illegal and they would have to go outside to be legal again. He noted that most of the sidewalks on the Square are not 15 feet wide so people would have to go into the street to smoke legally, again a displacement of a legal act. Now, he noted, we have the City's proposed ordinance which is being considered to try to give support to individuals who have concerns about smoking on the Square.

M. Saladin stated it is his opinion that the Square is unique within the City and the County which may allow the Council to support something like the proposed ordinance. He further stated he supports the business owners' opinions and would only support the proposed ordinance if there is a sunset provision which would revisit the ordinance in a year.

RB Thompson stated it is his feeling this is being considered to resolve the issue brought about by families and tourists who want to come to the Square without facing some of the issues that have been discussed. He noted the City is frustrated by these issues. He further noted the Square is unique and is an outdoor meeting place, not just a park, and that the proposed ordinance is just moving people. Mr. Thompson stated he is offended by smokers and people who smoke at the entrances to the businesses but doesn't know if this will solve the problems.

Mayor Sager noted that everyone is struggling with this issue because people have asked the City to take some action. He suggested two approaches. First, he suggested placing a period after "Park in the Square" in section 1.D, removing all following text. This would leave the sunset provision in place. He stated it is his opinion this would be appropriate as the Park in the Square is a public gathering space, for example for band concerts. He noted this would be similar to a theater or event space. Second, he suggested at a future time Council determine whether the City should adopt an ordinance similar to the Smoke Free Illinois Act which the Police Department would be able to enforce in a more appropriate manner. This, he noted, would require additional research.

D. Hart expressed support for these suggestions.

In response to a question from J. Starzynski as to the expected outcome for just the Park in the

Square, Mayor Sager stated littering should be improved and the Park in the Square would be treated as an event venue. Council, he noted, would be acting in response to those event-goers who just wish to sit and enjoy an event and who have complained they have not been able to do so.

M. Turner noted the resident issue is significant for him and is supportive of the ordinance covering just the Park in the Square with a sunset provision.

M. Larson stated she supports the ordinance for the Park in the Square with a sunset provision but would like to discuss littering further and see littering enforcement stepped up.

Mayor Sager noted it appears there is consensus for a friendly amendment which would provide for Section 1.D to read: "To smoke or burn any cigarette, cigar, or other form of or device containing tobacco or to use any e-cigarette or electronic smoking device in the Park in the Square." The remainder of Section 1.D would be eliminated along with subsection 1.E, while Sections 3, 4, and 5 would remain intact.

Mayor Sager opened the floor to public comment.

Michael Stanard, 1524 Hillside Trail, stated he does not see the Park in the Square as separate from the Square. He further stated that he looks at the issue from an aesthetic point and that the entire Square has a sense of place. Further, it is his opinion that Council has stepped away from the fact that smoking within 15 feet of the doorways, windows, etc. is against the law. Mayor Sager noted the City is looking at how to enable the Smoke Free Illinois Act. Mr. Stanard expressed skepticism that this will occur and urged Council to address the issue now. Mr. Stanard then discussed Wheaton and laws which have recently been enacted in that community. He urged Council to pass the ordinance as written in the interest of being a progressive community.

In response to a question from Mr. Tipps as to whether the City will be able to enforce the proposed ordinance in the same manner as alcohol violations are enforced, Mayor Sager stated that alcohol is governed differently than other items. He then explained the Liquor Code and how violations of that are adjudicated.

In response to a question from Mr. Tipps concerning whether violations of the proposed ordinance can be adjudicated through the municipality, City Attorney R. Schlossberg stated that is one of the reasons the Smoke Free Illinois Act is being researched as it appears all appeals must go through the Health Department and there are currently no regulations that definitively answer that question. Ms. Schlossberg noted that the City is awaiting adoption of regulations that would address this.

Motion by M. Turner, second by J. Starzynski, to adopt Ordinance 15-O-61, identified as Document No. 6, amending Chapter 2, Title 6, Public Ways and Property, of the Woodstock City Code to add sections 6.2B.3, with the friendly amendments as indicated.

A roll call vote was taken. Ayes: D. Hart, M. Larson, J. Starzynski, RB Thompson, M. Turner, and Mayor Sager. Nays: M. Saladin. Absentees: none. Abstentions: none. Motion carried 6-1.

Item D-12 Old Courthouse Advisory Commission

M. Larson stated she is pleased to get this underway and appreciates staff's work in creating this structure, noting it is what the TAP advised and what has been previously discussed. She stated, however, she does not agree with a nine-person Commission or with the provision for quarterly meetings. She feels that nine members seem too large and that quarterly meetings would make the process too sluggish.

In response to a question from RB Thompson, M. Larson stated the life of the Commission would depend upon whether the project would transition to a Not-For-Profit (NFP) in which case the Commission could become the Board of the NFP.

Mayor Sager stated that he would be fully supportive of a seven-member commission, rather than nine. He indicated that only the Plan Commission and the ZBA have membership requirements as they are statutory. He stated there is a lot of interest in this Commission and wished to address this. He then stated he wishes for all enabling ordinances to remain consistent with the quarterly meeting requirement. He noted that the body may meet more often as it wishes, but requiring monthly meetings could become problematic. He does not wish to dictate by ordinance how often the Commission must meet.

In response to a question from RB Thompson, Mayor Sager noted that the new Commissioners would be appointed with staggered terms as always is the case.

M. Turner noted he views this as a mechanism to move the Old Courthouse project to a final conclusion and also has concerns about a nine-member Commission and quarterly meetings. He noted this needs a thoughtful solution and time is of the essence and would like to see the expectation that the Commission would meet monthly.

Mayor Sager noted it would be the responsibility of the liaison to work with the Chairperson of the Commission to determine the agenda and whether the body should meet and remained firm on the provision for quarterly meetings. He noted, however, that the Commission could be told that it is the expectation that they will meet monthly for the first two years, for example.

Mayor Sager credited Grant Writer Terry Willcockson for her thoughtful input on this project.

M. Larson stated she prefers seven members and noted there are ways to be involved without being on the Commission. She further stated it is her opinion that it is easier to go from seven to nine members rather than make the Commission smaller.

M. Saladin stated there will be a lot of interest in this body and feels that a broader community interest would be served with a larger body with a strong chair.

J. Starzynski stated it is his opinion the Commission will attract quality applicants and would like a larger number rather than a smaller number. He noted he would like the message to the Commission to be that the City wishes for them to proceed as quickly and as efficiently as possible to complete the project.

It was the consensus of the Council that the Commission remain at nine members.

Mayor Sager noted the ordinance does incorporate a Managing Director which will be discussed later this evening, but does not necessitate the hiring of that individual. He stated in the absence of the Managing Director, the City Manager and the Mayor will determine who shall serve as liaison to this Commission on behalf of the City.

Motion by M. Larson, second by M. Saladin, to adopt Ordinance 15-O-62, identified as Document No.7, amending Title 2 of the Woodstock City Code to establish the Old Courthouse and Sheriff's House Advisory Commission.

A roll call vote was taken. Ayes: D. Hart, M. Larson, M. Saladin, J. Starzynski, RB Thompson, M. Turner, and Mayor Sager. Nays: none. Abstentions: none. Absentees: none. Motion carried unanimously.

DISCUSSION ITEMS

Review of Old Courthouse Completed Projects and Future Projects

Mayor Sager called attention to the summary of completed and future projects provided in Council's packet. He noted the expansive list of projects stating this is very challenging. He stated it is his feeling that the most important projects now involve window replacement and storms, along with brick work to stabilize the building, followed by gables and soffits.

M. Larson stated the TAP indicated the City should focus on making the building weather tight and allow any further interior work to be determined by a specific use. She stated her feelings that any work to make the building weather tight should be moved up.

R. Stelford thanked City Planner Nancy Baker for putting together the list of projects.

There was no comment forthcoming from the Public.

Item 14 Discussion of Executive Director/Building Manager Functions for the Old Courthouse

Mayor Sager noted that when staff tried to put together a broad outline for this position, it became evident that it may be difficult to find one person for two different types of functions. He stated this involves two different sets of expertise and so the position was divided into two separate positions.

M. Larson stated the Executive Director would do more fundraising and find potential users and would be more outwardly focused and noted the division into two positions is a good idea. She did question the cost involved.

M. Turner stated it is his opinion that the Executive Director position is a higher need and that the building has been managed well with existing employees. He noted he would like to continue using existing staff in the Building Manager role and hire a Managing or Executive Director to market, sell, and promote the facility to external people.

In response to a question from M. Saladin concerning what would occur should there be a disagreement between the Commission and the Executive Director, Mayor Sager stated the Commission's role is to forward recommendations, along with Staff's recommendations, to the

City Council, as is the case with other Commissions.

Mayor Sager noted the question for Council is do you believe the City needs to look at professional staff to support the Old Courthouse. It was the consensus of Council that this is the case.

Mayor Sager then asked if Council agrees with the separation of functions and agrees that one person could not perform both functions. It was the consensus of Council that this is the case.

Mayor Sager asked for consensus that the City should first focus on the position of Executive Director. Following discussion of whether the position of Executive Director or Building Manager should be the City's first focus, it was consensus of Council that the position of Executive Director is the priority.

In response to a question from RB Thompson, R. Stelford noted that if this is a City position, it will be like a Department Director with input in hiring of additional departmental staff.

It was consensus of Council that this be investigated by Staff as a potential budget item for the next fiscal year.

15. Quarterly Reports

Mayor Sager expressed appreciation for the quarterly reports, noting that they are once again well presented.

P. Christensen stated these are the first reports produced out of the new financial system, noting the Finance Department is proud of this accomplishment.

FUTURE AGENDA ITEMS

M. Larson requested a discussion of the brightness allowed on LED signage. Following further discussion, it was the consensus that this will first be placed on a Plan Commission agenda for that body's input.

ADJOURN

Motion by M. Turner, second by M. Larson, to adjourn this meeting of the Woodstock City Council to the next regularly scheduled meeting on Tuesday, October 20, 2015, at 7:00 PM in the Council Chambers at City Hall. Ayes: D. Hart, M. Larson, M. Saladin, Joseph Starzynski, RB Thompson, M. Turner, and Mayor Sager. Nays: None. Absentees: None. Abstentions: None. Meeting adjourned at 9:44PM.

Respectfully submitted,

Cindy Smiley
City Clerk